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INDEPENDENT COMMISSION AGAINST CORRUPTION

THE HONOURABLE RUTH McCOLL AO
COMMISSIONER

PUBLIC HEARING

OPERATION KEPPEL

Reference: Operation E17/0144

TRANSCRIPT OF PROCEEDINGS

AT SYDNEY

ON MONDAY 21 SEPTEMBER, 2020

AT 2.00 PM

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<PHILLIP JAMES ELLIOTT, on former affirmation [2.06pm]

THE COMMISSIONER: Please be seated, Mr Elliott. Yes, Mr Robertson.

MR ROBERTSON: Can I deal with some formal tenders first, arising from this morning's session. First I tender an email from Mr Elliott to Ms Hatton, 27 November, 2012, 10.15am, pages 8 and 9 of volume 13A in the public inquiry brief.

10

THE COMMISSIONER: That will be Exhibit 135.

**#EXH-135 – EMAIL ELLIOTT TO HATTON DATED 27 NOV 2012
RE G8WAY INTERNATIONAL PTY LTD TAX INVOICE
TEMPLATE**

MR ROBERTSON: Next I tender the email from Mr Elliott to Ms Hatton, 27 November, 2012, 4.24pm, volume 10 – sorry, I withdraw that – page 10, volume 13A, public inquiry brief.

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THE COMMISSIONER: That will be Exhibit 136.

**#EXH-136 – EMAIL ELLIOTT TO HATTON AND MAGUIRE
DATED 27 NOV 2012 RE G8WAY INTERNATIONAL PTY LTD
TAX INVOICE TEMPLATE**

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MR ROBERTSON: Next I tender an email from Mr Maguire to Mr Elliott, 29 November, 2012, 6.30pm, pages 23 and 24 of volume 13A of the public inquiry brief.

THE COMMISSIONER: That will be Exhibit 137.

**#EXH-137 – EMAIL MAGUIRE TO ELLIOTT DATED 29 NOV 2012
ATTACHING PHOTO OF SIGNING CEREMONY BANNER**

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MR ROBERTSON: Next, an email from Mr Elliott to Mr Maguire, 15 May, 2013, 11.42am, pages 122 to 123 of volume 9 of the public inquiry brief.

THE COMMISSIONER: That will be Exhibit 138.

**#EXH-138 – EMAIL ELLIOTT TO MAGUIRE DATED 15 MAY 2013
RE RSL IMMIGRATION PLACEMENT**

MR ROBERTSON: And then an email from Mr Maguire to Mr Elliott, 15 May, 2013, 11.48am, page 124, volume 9, public inquiry brief.

THE COMMISSIONER: That will be Exhibit 139.

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**#EXH-139 – EMAIL MAGUIRE TO ELLIOTT DATED 15 MAY 2013
RE IMMIGRATION PLACEMENT**

MR ROBERTSON: Can you just pardon me for a moment. I apologise, Commissioner. I tender the email from Mr Maguire to Mr Elliott, 12 April, 2013, page 28, volume 9, public inquiry brief.

THE COMMISSIONER: That will be Exhibit 140.

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**#EXH-140 – EMAIL MAGUIRE TO ELLIOTT DATED 12 APRIL
2013 RE IMMIGRATION PAYMENTS**

THE COMMISSIONER: You're bound by your previous affirmation, Mr Elliott.---Thank you, Commissioner.

30

MR ROBERTSON: Mr Elliott, before lunch one of the things we discussed was the meeting with Mr Howe regarding a potential visa applicant in relation to the Wagga RSL. Do you remember that evidence?---Yes.

And I take it that Ms Wang was present at that meeting?---With Mr Howe, yes.

So who was present, Ms Wang was present, Mr Howe was present, who else was present?---The second lady I said to you earlier I couldn't the name but I noted in the email I had used the name Monika. So Monika, surname unsure.

40

Could it be Monika Hao, H-a-o?---Sorry, Monika?

Monika Hao perhaps, H-a-o?---Perhaps. I'm not sure.

What about Mr Bell, was Mr Bell present?---Yes, he was there but I'm not sure whether he sat in on the meeting, to be honest.

Is it your evidence that you received or did not receive any cash during the course of that meeting?---That I received?

Yes, you.---Not that I recall.

Well, are you sure that you didn't receive any cash during the course of that meeting?---No, I don't believe so.

10 Let me help you this way. Can we go, please, to volume 9, page 156?
---Yeah, sure.

And just have a look at the email about halfway down the screen, 20 May, 2013, 6.21pm.---Yeah.

“Just missed a call from Maggie, probably chasing her 2,000.” Do you see that there?---Yes.

20 Now, why was Maggie chasing 2,000 if, say, 1,000 had been given to Mr Howe rather than 2,000? Does that refresh your memory at all?---No, it doesn't, no, it doesn't.

You can see there, you say, “Can you fix her if you're in Sydney, I have \$1,000 at home.” Do you see that there?---Yes, yes.

So you're referring to the fact that you had at least \$1,000 in cash at home, is that right?---Yes.

30 And does that email refresh your memory that you needed to find, or at least G8way International needed to find \$1,000 in order, because Maggie was chasing \$2,000?---That, that would seem to be, to be the case, but I don't recall it.

Well, wasn't it the case that during the course of the meeting, or at least connected with the meeting, associated with the potential appointment of a visa applicant for Mr Howe in connection with the Wagga RSL, that you were paid \$1,000 in cash?---I, would, would you mind just repeating?

Well, what I'm - - -?---I'm sorry, I'm, I'm just getting confused with - - -

40 No, no, what I'm suggesting is that in connection with the potential employment of a visa applicant for Mr Howe at the Wagga RSL Club - - -?
---Yeah. Mmm.

- - - you or G8way International received a cash payment of \$1,000. Do you agree with that or not?---No, I don't recall it. I don't recall that at all.

How can you explain then that Maggie is chasing for \$2,000 in respect of which you were looking at digging up \$1,000 that you had at home?---I, I'm

struggling with the context, I'm, I'm sorry, oh, you're suggesting to me that I received \$1,000 in, is that - - -

Well, let's try and deal with it in parts.---Please. Yeah.

Can you see from this email that it seems that Maggie was chasing her \$2,000, do you see that there?---Yes, that's - - -

10 And can you see from the second line, it says, "I have \$1,000 at home, and chasing \$1,000 from Tim." Do you see that there?---Yeah.

So would you at least agree that Maggie was chasing \$1,000 from Tim?
---Yes.

She's also - - -?---Oh, I, I agree with the way that it's, that it's written but I just don't - - -

20 She's also chasing \$1,000 from you. Is that right?---That would seem to be the case, yep.

And she was chasing \$1,000 from you because she had paid you \$1,000 in relation to the Wagga RSL potential employee, which ultimately fell through, and she wanted her money back. Is that right?---I don't recall that.

You don't recall one way or the other?---No, I don't.

30 So you're denying that it played out that way, but you just don't have a recollection one way or the other, is that right?---I'm, I'm not denying that it played out that way, but I have no recollection of that.

So can you just help me explain how this immigration scheme worked as you understood it? So as I understood what you said before lunch, it wasn't you or G8way International that was identifying the visa applicants, the Chinese nationals?---That's correct.

That was being done by Ms Wang, is that right?---That's correct.

40 Your job, or G8way International's job, was to attempt to identify potential businesses who could sponsor or nominate a particular visa applicant for a work visa, is that right?---Who could provide a position for a visa applicant.

Well, who at least would nominate someone as saying, "I have a position for this particular individual"?---Yes.

But I think you've accepted that at least by May in connection with the Wagga RSL matter, you realised that part of this scheme was not involving legitimate employment relationships, is that right?---Yes.

Then can you help me understand the money flow, then. So as you understood it, G8way International would be entitled to a fee in relation to the identification of a business, is that right?---No, no, a fee at the conclusion or placement of the particular person into a business.

So by which I think you mean that if a visa is ultimately issued - - -?---Yes.
- - - then G8way International becomes entitled to a fee, is that right?---Yes.

10 And who pays that fee, as you understood it?---My understanding would be that would be from the person, the, the visa applicant or associated.

So the ultimate source of that money is from the visa applicant or perhaps the visa applicant's family, is that right?---I would think so, yes.

And the immediate source, I think you explained, was Ms Wang, is that right?---Yes.

20 And in terms of the money actually coming to you and to G8way International, is it right that you never received any money directly from Ms Wang?---I don't believe so.

But you did receive money from time to time indirectly through Mr Maguire, is that right?---Yes.

And I think you said that at least some of that money was banked but some of it was not banked?---Yep.

30 And the sum that was not banked was not put through the books of G8way International, is that right?---That's correct.

Now, in this visa scheme, what was in it for the businesses?---I don't know the exact detail but I do know that they received an amount. I don't know how much, I think in your preamble you mentioned three months' subsidy of wages or something along those lines.

Is that consistent with your recollection as to what the arrangements were?---I didn't know exactly what the arrangements were.

40 But you must have had some idea because you were going out trying to find potential businesses for this scheme.---That's correct.

So what did you explain to the businesses as to how this would all work?---That there was incentive for them to, to put somebody on.

And how much was that incentive?---I don't know.

But how are you able to market this to individual businesses when you're not in a position to answer a simple question such as, "What's in it for the business?"---Well, all I simply did was try to identify a business and provide them, or set up an appointment with, with Maggie, who would discuss those things with them.

But why would the business have any interest at all without knowing at least the basic details as to how the scheme was going to work?---I don't know what the exact amounts were.

10

But surely you must have had some idea, because how are you able to market this scheme or speak to people about it without being able to answer the most basic of questions such as, "How much money do I get?"---I don't know how to answer that.

So there was an incentive that the business gets, is that right?---I understand that was the case.

But in an amount that you don't know?---No.

20

And what was that incentive? Was that just some cash payment, or how was that structured as you understood it?---I believe that there was a wage-based subsidy but I, I don't know a lot about the details.

Well, you referred to something that I said in opening a moment ago about reimbursement of wages, of say three months or something like that in wages.---I heard you say three months, yeah.

30

Is that consistent, what I said, is that consistent with your recollection as to how you understand the scheme would work?---That was my understanding but I didn't know the entirety of the scheme.

But what I'm trying to understand is, what bit did you understand? You've referred to an incentive payment, is that just a cash lump sum that the business gets, or is it some other thing?---I, I think so. I don't know. I, I can answer you no problem more than I don't know the exact details.

40

THE COMMISSIONER: But it is your recollection that the putative employer would at least get a three-month payment, what, on account of wages?---Just in reference to what Counsel said in the preamble, but certainly that they would receive something.

That at least?---Yes. Yes, Commissioner.

There may have been something else but at least three months' wage?
---Well, based on that, yes, yes.

Yes. Thank you.

MR ROBERTSON: But is that something you actually recall yourself or is that just something that you're picking up from something that I said this morning?---Basically picking up from you said this morning

So you at least knew that there was an incentive payment of some kind?
---Yes.

10 But are you saying you just can't recall one way or the other how much that was sitting here now?---No. I, I may have had a figure, I might have told them a figure, I don't know.

You don't seem to know a lot about the business that you were running as a director in 2012 and 2013. Is that a fair statement or is that an unfair criticism?---Well, that's a fair, that's a fair assessment.

20 I mean, we've talked, for example, about what happened in 2012 in relation to the function of the 30th of November. You seem to not remember anything about that function at all.---Well, I don't know how to answer that. That's a comment of yours.

Well, am I being unfair in noting that it seems that for a director of a company, including one that had just come into existence in 2012, you seem to know very little about what was going on within the company itself?
---That's a reasonable comment.

Is part of the explain for that that the true driver of this company was Mr Maguire, rather than you?---That's probably the case.

30 You were the titular director but the person who was actually pulling the strings was Mr Maguire, is that fair?---That's fair.

I take it that in relation to the immigration scheme that we have discussed, you and Mr Maguire discussed the ins and outs of that scheme as it was taking place?---Yes.

You raised with Mr Maguire what had happened in relation to the RSL matter?---Yes.

40 You made it clear to him what problems had arisen in relation to the RSL placement?---Yes, and I think I commented to you prior to our lunch break that within one of those emails I, I made reference to the, the applicant.

So at least as you understood it, not only did you know that the immigration scheme involved telling lies to Immigration, that it was also something that, as you understood it, Mr Maguire knew as well, correct?---I believe so.

And so at least so far as you understood it, both you and Mr Maguire, at least by May of 2013, knew that the immigration scheme was not a legitimate scheme, is that right?---How do I answer that?

Well, you at least accept that as you understood it - - -?---I accept that.

- - - it was not a legitimate scheme, correct?---I accept that.

10 You discussed the immigration scheme with Mr Maguire on a number of occasions, correct?---Yes.

In relation to G8way International more generally, you didn't have a practice of keeping information away from Mr Maguire, correct?
---Generally, no.

When you say generally, what exceptions if any exist to that?---I, I can't think of, I can't think of any exceptions.

20 Well, was there any occasion where you successfully caused an immigration placement but kept the money for yourself and didn't tell Mr Maguire?
---No.

To your knowledge, did it ever happen the other way? In other words, Mr Maguire accepting money in relation to an immigration placement and not sharing it with you or with G8way International.---I didn't believe so, but again, in your preamble you noted that Mr Maguire had stated that he had passed some but kept some.

30 And so until I said that, you weren't aware of any possibility of that kind of Mr Maguire keeping the money and keeping it away from you?---I wasn't.

Around this period of time, you were in regular communications with Mr Maguire, is that right?---Yep, yep.

You were a close friend of his, correct?---Yes.

Regular barbecues, glass of red wine, et cetera, et cetera?---Yes.

40 You kept each other informed as to what you were doing in relation to the G8way International matter?---I think so, yes.

You also kept Mr Maguire informed that, so far as you were concerned, this immigration scheme was not a legitimate scheme, is that right?---I don't recall using those words.

You might not have used those words, but at least the gist of what you communicated was that the immigration scheme with Ms Wang involved

telling lies to Immigration, correct?---Yes, I made reference to an email you displayed earlier, yes.

And indeed the gist of communications, by way of emails which we've seen, but also oral communications, was that as you understood it, the RSL deal fell over because the RSL thought that this was not a legitimate scheme.---Yes.

Is that right?---Correct.

10

In relation to the RSL matter, did you ever sight any paperwork as to the potential arrangements between Wagga Wagga RSL or some entity associated with it - - -?---Mmm.

- - - and the potential visa recipient?---Yes. A single-sheet CV for, for, well, that's not the right word, résumé perhaps.

Is that the only paperwork that you can recall seeing?---I believe so.

20 Can we go to volume 19, page 109 - - -

THE COMMISSIONER: So what volume was that?

MR ROBERTSON: Volume 19. And this may be the document that you were just referring to.

THE COMMISSIONER: Mr Elliott, I think we've given you a glass, if you'd prefer to use a glass.---Oh. Thank you, I, I might take that up. Thank you.

30

MR ROBERTSON: Just put up on the screen a résumé of Veron, V-e-r-o-n, Peng, P-e-n-g. Is that the document that you were just referring to a moment ago?---Yes.

And so far as you can recall, is that the only paperwork that you ever saw in relation to the possible placement of Mr Peng?---I think so, yes. As far as I can recall, yes.

40 Can we just go back one page, have you ever seen this document before, which is a document headed Training Agreement?---Oh. No, I, I don't, but I, I have no doubt that it's connected, connected to the résumé.

But your best recollection is that you haven't seen the document that you can see on the screen before?---I didn't, I didn't think so, I hadn't thought - -

I'll just get you to read it to yourself.---Yeah, sure.

And let me know when you've done so.---Ah hmm.

Have you read that now, Mr Elliott?---Thank you, yes.

Is what you've read consistent with what you understood the arrangement would be between Wagga Wagga RSL and Mr Peng in the event that Mr Peng was issued a visa?---Yes. Yes.

Does that include paragraph 5, "Wagga Wagga RSL has no obligation to employ Peng as an employee"?---Yes.

10

Other than in relation to the RSL matter, were you involved in attempting to obtain a business to nominate or sponsor any other potential visa applicants?---Sorry, would you just rephrase again, please. Sorry.

You've spoken to us about attempting to get entities associated with the Wagga Wagga RSL to nominate or sponsor an employee.---Yes. Yeah.

20

Was that the only kind of arrangement, sorry, was that the only circumstance in which you sought to arrange, let's say, business to nominate or sponsor an employee? Or were you also seeking to source other businesses?---Yeah, to source other, and one of them, yeah, unless we're including Mr Howe of the catering within the RSL, or are you talking of that as a separate entity?

Separate from Wagga RSL at the moment, I'm talking about.---Yes. Okay, so the caterer, separate from the RSL, and Mr Crivallero's business also. I introduced Ms Wang to him.

30

Did any of them ultimately come off?---I don't believe so. Well, certainly, no, not to my knowledge.

To your knowledge, did any other arrangements through the immigration scheme, be it organised through you, through Mr Maguire or someone else, did any of them ever come off?---Not to my knowledge. I did introduce Ms Wang to some people in Leeton or Griffith, but I know no more about what happened with those.

40

But there was at least one or two successful placements, weren't there, organised by Mr Maguire, is that right?---I would think so, yes.

Did you have any involvement in relation to those matters?---No.

But you were at least in regular contact with Mr Maguire in relation to the steps that he was taking in order to seek to identify businesses, is that right? ---Yes.

You at least did some work on attempting to identify the businesses, would you agree with that?---Yes.

And are they just the businesses that you've just identified, rather than some broader set?---I, I think so. I think so. There was a – can I continue, is that okay?

Yes, yes.---Sorry, I'm – there was a change of, of, I don't know whether regulation is the right word or not, parameters at some point, where businesses had to, it was quite open-ended and then businesses had to be proprietary limited companies, had to have a certain number of employees, a certain turnover and so on, and that narrowed the - - -

THE COMMISSIONER: As part of this whole visa arrangement.---As part of this whole thing.

And what did it narrow?---I'm sorry?

What did it narrow? I interrupted you.---So it narrowed the parameters. So I, you may, earlier in the piece have been able to provide it to a sole trader, for example, but then they had to be a proprietary limited company and there had to be a certain turnover and a certain demand, and a certain - - -

So does this narrowing apply just to the employer or did it have other ramifications?---To the, to the employer, yeah, not to the host, potential host business, yeah.

MR ROBERTSON: And what impact, if any, did that change have on what G8way International was trying to do?---It certainly would have changed the parameters again, or the, the businesses who would be eligible.

30 But what actual effect, if any, did that have? Did that mean that G8way International continued but there was a smaller pool of people?---There would be a smaller pool, yeah.

And so after that change, G8way International still continued to attempt to find businesses for the immigration scheme, is that right?---Yes. Although I have to say, I didn't follow terribly hard on that line. I didn't pursue that terribly hard.

40 Sorry, you're saying that other than in relation to the RSL and entities connected with it, and the other entities that I think you've identified, this was mainly Mr Maguire's baby, rather than yours, is that right?---I, yes, I guess.

And so your role was in relation to a couple of businesses and accepting the cash at the end of the day - - -?---At the end of the day.

- - - from Mr Maguire that you understand had come from Ms Wang, is that right?---From, successful placements, yes. I believe - - -

In relation to successful placements.---Yeah.

Did you have any other involvement in any of the successful placements that you can now recall?---Oh, not that I can recall.

Do you recall having anything to do with a Mr Shaun Duffy in connection with a placement?---No. I know Shaun Duffy but no.

10 You didn't pick him up to go and see Maggie when Maggie was in Wagga Wagga?---Oh, I could have done. As I said, I know Shaun quite well but what, what time are we talking here?

Potentially in about 2014 or thereabouts.---I don't specifically recall but it may well have been the case.

But in any event, with Mr Duffy, it was Mr Maguire who was doing the main exercise and Ms Wang, is that right?---I would think so, yes.

20 Rather than you?---Not I.

Did you have any involvement in seeking to refer this immigration matter to a Joe Amato?---Yes.

And who is Joe Amato?---He's a real estate person based in Leeton and Griffith.

30 And how did that play out? Was that similar to the RSL arrangement or was it some other way?---I'm unsure. I introduced Ms Wang to him and that's why I said to you about Leeton or Griffith, I couldn't recall but in one of those locations.

And so what did you explain to Mr Amato as to how this scheme would work?---Much the same, that there was incentive for the businesses for the place mentioned of visa.

40 Are you seriously saying that's all you knew, there was some general incentive that might be \$1.50 and that was all you were in a position to tell the business?---Yes.

Do you at least agree that after you already knew that there was some illegitimacy in this immigration scheme, after that was clear to you in light of what happened in the RSL scenario, you still attempted to identify other businesses for this scheme?---Yes. Only a handful, one or two, yes.

Did you tell those businesses that, "I'm trying to get you into something that isn't completely legitimate and might involve you lying to the Department of Immigration"?---No.

Why not?---I didn't.

Because you could see some money to be made for G8way International?
---Probably, yes.

And you thought you would overlook that matter, is that right?---(No Audible Reply)

10 Do you have an answer to that question?---Was it a question or was it a statement, I'm sorry?

It was a question.---Right. Repeat that, please?

You decided to not tell these other businesses that it was an illegitimate scheme involving telling lies to immigration because you could see the potential money to be made by G8way International, is that fair?---I provided those business with a meeting which I understood was with Ms Wang, and they were in a position where they could receive an incentive and G8way would also receive a payment.
20

But you didn't tell them about the, what I have described as the illegitimate aspects of the scheme, is that right?---I didn't tell them what you have described at the illegitimate aspects, no.

Well, what I have described I think you have accepted, haven't you?---Yes.

That there were illegitimate aspects of the scheme, is that right?---Yes.

30 You accepted, I think just before lunch, that an integral aspect of the scheme was to tell lies to immigration, is that right?---Yes.

I think you may have mentioned a Cootamundra organisation before lunch maybe?---No. I don't believe so.

Pardon me for a moment.---Yeah, sure.

Go to volume 23, page 36. I'll just try and refresh your memory on another potential business identified and what I'm going to show you is some text messages going in various directions. And if you could focus on number
40 158, we'll just scroll down a little bit.---Yes.

And 159. So these are communications going between your telephone and Ms Wang's telephone.---Yep.

I'll just note that while it's on the screen, Commissioner, of course you'd made the direction at the very start of the proceedings regarding personal information including mobile telephone numbers, and as I apprehend it at

least, the mobile telephone numbers that we can presently see on the screen would be subject to that direction.

THE COMMISSIONER: Yes.---Oh.

MR ROBERTSON: I'm so sorry, I may have misled you, Mr Elliott. These communications are between Mr Maguire and the persons identified, so you and Ms Wang, for example.---Oh, okay, yes.

10 So if you just have a look at number 158, for example.---Yes.

Between Mr Maguire and you. And if you look at number 159 as well, referring to a Coota run, does that refresh your memory as to any other potential candidates?---No.

Or potential businesses?---No, I, I don't recall - - -

And if we then go to page 38, you can focus on item 174.---Yep.

20 Where you were talking about your Coota man.---Oh, okay. Yep.

Who's your Coota man?---So my Coota man, I, I guess I should seek your direction, has subsequently has taken his own life over the last year or so, but I presume you still want that included in the - - -

I do, but it may be that a direction ought be made. Just pardon me for a moment. Before I ask you the name - - -?---Sure.

30 That at least refreshes your memory, don't you, that the person referred to as the Coota man was someone who you were seeking to identify as a business to be involved in the immigration scheme?---That particular person was a sole trader in business, actually it might have been a company, but it was a husband - - -

THE COMMISSIONER: I'm sorry, I can't hear you, Mr Elliott.---Oh, I'm sorry. That particular Coota, Cootamundra person was a husband and wife company, and who were in a struggling business, and I think I mentioned earlier, the parameters changed. At that point, it was my understanding that they may have been eligible, and I saw that as a chance to assist them.

40 I see.---With - - -

Their finances.---With their finances. I, I don't want to make this a, an emotive situation, but the wife died of cancer and the husband took his life shortly afterwards.

Mr Elliott, when you spoke to the employers you did try to identify as suitable to take candidates, did you tell them that it was part of the scheme,

if I can put it that way, that G8way would receive a commission in respect of a successful placement?---Yes, I think so.

Naming G8way?---Oh, I probably said me.

I see, but did you generally tell people in Wagga what G8way was and your involvement in it, and Mr Maguire's?---No, because – well, when I say no, G8way didn't really have a great deal of exposure in Wagga itself.

10 And was that deliberate?---No, it was just more or less the way that things occurred. Over a period of time, there was opportunities for some local agricultural businesses and other businesses who would have been aware that, that G8way existed through that, but no, we just quietly went along.

But the intention was not to disclose Mr Maguire's involvement in G8way from the start up, as you've earlier agreed.---Mmm. Mmm.

Was his role in G8way made public to your knowledge in Wagga - - -?---I wouldn't - - -

20

- - - by you?---No. I don't, I don't believe so, no.

Was that to continue, really to conceal his involvement in it?---I would think, yes. Yes.

Yes, Mr Robertson.---Sorry.

MR ROBERTSON: Can we go please to Exhibit 120, which is volume 11, page 74. And I'm going to ask you a few questions about the distribution that you and I discussed briefly this morning.---Sure.

30

THE COMMISSIONER: First (not transcribable) documents from volume 23, are they in already?

MR ROBERTSON: They're not. They're not yet. I may actually tender them tomorrow morning because I want to be careful to ensure that the tendered version doesn't have any personal information that shouldn't be made more public.

40 THE COMMISSIONER: Certainly. Thank you. Exhibit 120.

MR ROBERTSON: I'll put up on the screen an email from Mr Maguire to you of 25 June, 2014.---Yeah.

And also an email to you from Mr Maguire that's about two-tenths of the way down the page, 10.38am. Now, this is a reference to the distribution that you made reference to this morning, is that right?---Yes, yes.

And so you did a distribution and had funds for Bec.---Yep.

I take it that's Rebecca Cartwright.---Yes. Cartwright.

And then Nicole is Nicole Hatton?---Yes.

And then it says in your email, "Balance held by me for you and I, including compensation for expenses to you." You see that there?---Yes, I do.

10 So do we take it from that that there was money that you had that you gave to Mr Maguire?---Yes, that would be the case.

And so it wasn't the case that G8way International was, in effect, a holding entity to wait until Mr Maguire had retired from parliament? On at least one occasion he received some money from G8way International money, is that right?---Yeah. I don't recall that, but yes. It's, it's there in front of me so that would have been the case.

20 Now, was that distribution recorded on the books?---I don't, I don't recall. I don't recall. I would have thought so, but I don't recall that.

Are you saying that "recorded on the books" was an express reference to a payment to Mr Maguire?---I, I don't recall.

Well, isn't it more likely that you kept it off the books because it was consistent with the structure of G8way International - - -?---That would be more likely.

30 - - - for that not to be identified on the books at all?---I don't recall, but that would be more likely.

You don't recall one way or the other?---No, but - - -

And then if you have a look, "We'll work out a further distribution in regard to other introductions." Do you see that there?---Yes.

Did a further introduction, sorry, further distribution ultimately occur?---I don't believe so.

40 If you have a look at Mr Maguire's email a little bit further up the page. ---Yep, sure.

He says, "I've paid Rebecca \$500 and Nic \$300. Before you distribute, can I see the amounts we need to add Maggie into these." Do you see that there?---Yes.

And so did Maggie also receive a distribution as you recall it?---I don't recall. But she would have done, I would have thought.

She would have done?---I would believe so, yeah. I don't recall that but I would think so, yes.

And "Rebecca was a one-off." See that there?---Yep, yes.

So what did you understand Mr Maguire to mean by that, Rebecca being a one-off?---Exactly that, just a one-off payment, I guess.

10 THE COMMISSIONER: Well, was it a one-off payment because she wasn't one of those included in the partnership referred to in the next sentence?---Yes, that would make sense, yeah.

And does the reference, in the last sentence, to "other introductions" indicate that these dividends were a distribution of the profits of the immigration scheme?---I'm not sure, Commissioner, whether it was that or whether it was introductions. If you recall that initial business model, if you will, where there was a 50 per cent - - -

20 Just generally part of G8way's business.---Yeah, but I, I, I can't say for sure, but that would seem right.

MR ROBERTSON: I tender the email on the screen. Email from Mr Maguire to Mr Elliott, 25 June, 2014, 11.34am.

THE COMMISSIONER: That will be Exhibit 141.

30 **#EXH-141 – EMAIL FROM MR MAGUIRE TO MR ELLIOTT, 25 JUNE, 2014, 11.34AM**

MR ROBERTSON: I'll then go to volume 11, page 85.

THE WITNESS: May I, through you, Commissioner, ask a question? You made a comment before about telephones and so forth, and I just noticed on my signatures there, there's both landline and mobile numbers. Are they excluded from this - - -

40 THE COMMISSIONER: We should ensure they're redacted, Mr Robertson.

MR ROBERTSON: Yes. It's on the - - -

THE WITNESS: I'm sorry. I just noticed it there on my signature email.

MR ROBERTSON: And I'm grateful for you drawing that to attention.

THE COMMISSIONER: Thank you, Mr Elliott.

MR ROBERTSON: The Commissioner made a direction at the very start of the matter, preventing the publication of that mobile telephone number, but thank you for drawing it to attention, and the version of that document that is uploaded to the world will not include your mobile number, you'll be happy to know.---Thank you.

THE COMMISSIONER: Or your landline.---Yes.

10

MR ROBERTSON: Or your landline, for that matter.---Thank you.

Volume 11, page 85, please. Now, I'll get you to look towards the bottom of this email chain and focus on the email of 27 June, 2014, 12.03pm from you.---Yes.

And do you see there's a sentence starting with, "Will"?---Yep.

20 So, "Will put the payments through as book figured to all except yo," y-o, "hand I." Now, does that refresh your memory that in terms of the distributions that you and I discussed a moment ago, you put it through the books with respect to everyone except for you and Mr Maguire?---Yeah. So the "yo and I" would be "you and I" and yes that would be the case. Again, I don't recall that, but it's there in black and white, so it has to be correct.

And you didn't put it through the books in relation to Mr Maguire because you were assisting him in concealing his involvement, his financial involvement with G8way International, is that right?---Yes, yes.

30 Now, if you just have a look at the next sentence, "I don't need any so we'll just keep whatever you don't want in the safe as a bit of walking-around money if and as required." Do you see that?---Yes.

What's walking-around money?---Oh, well it's just an old saying, isn't it, just as a bit of cash money. So, and can I couldn't tell you how much it was. What I'm saying there by the look of it is I don't need any. I'll keep whatever's. I'll just keep whatever and - - -

40 So that's cash that's in the safe that's available for use if necessary, is that right?---Presumably, yes.

It might be used for expenses and things of that kind?---Could be expenses, it could be for currency, yes.

But that money is not necessarily going to go through the books, is that right?---No.

In terms of the payments that did go through the books, do you recall how they were accounted for? Were these so-called partners, like Nick and others, were they dealt with as employees or as contractors or how was that dealt with?---I think contractors and I think they were paid by EFT, my sorry, bank transfer, I think.

So you didn't, for example, take out PAYG, things of that kind?
---No, no. No.

10 And treated them as, in effect , contractors rather than employees, is that right?---And, correct.

One of the persons identified – in fact before I do that, I'd better tender the email. I tender the email for Mr Maguire to Mr Elliott, 28 June, 2014, 9.49am, pages 85 and 86 of volume 11 of the public inquiry brief.

THE COMMISSIONER: That will be Exhibit 142.

20 **#EXH-142 – EMAIL MAGUIRE TO ELLIOTT DATED 28 JUNE 2014, VOLUME 11, P85-86**

MR ROBERTSON: Go back to Exhibit 120, volume 11, page 74. That's the email we you identified, or Mr Maguire indented the partnership. I'll just get that back on the screen for you.---Okay, thank you,

We'll just zoom in a little bit to the email at the top, "I think partnership is you, me, Nic, Julian, Maggie, Du Wei." See that there?---Yeah, yes. Yes.

30 Is that consistent with, what Mr Maguire says in June of 2014, is that consistent with who you saw as the partnership as at June of 2014?---Yes. I believe so.

So those individuals are persons who you might describe as the major players within G8way International as at June of 2014, is that right?---I, I would think so, yes.

40 Going in reverse order, Du Wei. What was Du Wei's involvement in the G8way organisation?---Mr Du Wei was a gentleman who was based in Beijing, and on more than one occasion, if people travelled across on buying trips or whatever the case, he would meet them and, and look after them at the, at the Beijing end. He was a very highly educated English-speaking person, English-speaking gentleman.

So he was your man in Beijing, is that - - -?---I guess, yes.

And back a further name, Maggie, that's Maggie Wang, I take it?---Yes.

And going back, Julian. Who is Julian?---McLaren. We mentioned that one earlier.

And what was his role in G8way International as at June of 2014?---Julian was or is a, a financial planner or financial adviser, and he was on the first trip that, that we went in 2012 at which stage I think he was the chairman of the local chamber of commerce at that stage. So my understanding was that, that he was a financial planner or adviser.

10

But what made him a member of the partnership? What made him one of the key participants in this organisation?---More, I think, with one of Mr Maguire's offsidars, as he was, with an idea of being able to offer financial advice to any potential investors and so forth.

But do you agree that, as at June of 2014, you saw yourself as being in business with Mr Maguire, Ms Hatton, Mr McLaren, Ms Wang and Mr Wei?---Yep. Yes, that would be right.

20 Is it Mr Wei or Mr Du? I may have it the wrong way round.---I'm not too sure. It's always just been Mr Du Wei.

I'll call him Mr Du Wei, then.---Yes, thank you.

Well, what about a gentleman by the name of Ho Yuen Li? Do you know that name?---No. Is that Mr Li from Shenzhen?

Yes.---Okay. Don't know that I ever met the man, but I certainly heard his name spoken of and spoken about, and - - -

30

In what context did you hear his name spoken about?---My understanding was that he was a person who could provide a building in Shenzhen, as in an office presentation area in Shenzhen, because at one point in time, one of the plans was to be able to put together some Riverina-based and other produce, and display it in that, in that scenario, if that's the Mr Li that I'm thinking of.

Is that the only activity, relevant activity of Mr Li, so far as you can recall? ---So far as I know.

40

Have you heard, before this morning, have you heard of the Shenzhen Asia Pacific Commercial Development Association?---No, I hadn't, but that would be consistent with, with that.

Are you aware that Mr Maguire was attempting to cause more business deals to take place in the South Pacific region?---I was aware that he was going to, I'm happy to be corrected. Would you say Samoa or the Solomons?

Well, I'm trying to get your recollection of the matter.---Right.

Don't let me feed it to you.---I'm sorry. I was aware that he was going to, I think it was the Solomons, but I don't know exactly what the dealings were. I wasn't privy to that.

10 What was G8way International's role in that matter, if any?---Specifically none. There may have been a connection as with Mr Maguire as representative, if you will, but I wasn't aware of any.

Well, you permitted Mr Maguire to use G8way International Pty Ltd effectively as a vehicle for his own commercial projects, is that right?
---Ah hmm.

And so he had your permission, as the sole director of G8way International, to seek to achieve business deals in the Asia-Pacific region - - -?---Sure, yep.

20 - - - which might ultimately benefit G8way International, which in turn might ultimately benefit you and Mr Maguire, is that right?---Yes, that's fair.

But were you aware of any particular deals that Mr Maguire sought to achieve in the South Pacific region?---Not particular. I know that he was meeting with Mr, with Gordon, with Mr Tse. And, again, I think it's Solomons, but, and in your preamble, again, you noted the Solomons and casinos and investors. That's - - -

30 Well, let me play you a telephone call. I just want to see if this assists in refreshing your memory.---Yep, sure.

Can we play, please, the excerpt from telephone intercept 4476, 9 December, 2017.---And is that - - -

And just to assist you, Mr Elliott, that will come out orally and the transcript will be on your screen in a moment. And just to assist you, it's the same one that I played during the course of the opening.---Yep, sure.

40

AUDIO RECORDING PLAYED

[2.54pm]

MR ROBERTSON: So do you agree that one of the voices on that recording was Mr Maguire's voice?---Yes, certainly.

And one of them was your voice.---I'm, I'm, I'm sure it was. It was barely audible. My, my own voice was barely audible. I think I - - -

But you at least recognised it as your voice, didn't you?---Yeah, I think, when I say the words "nice" or, or something other than a, than a, a "mmm." Yeah.

Now, one of the things that Mr Maguire said, and it's on the screen at the moment, is "So Samoa is definitely a go." Do you see that on the transcript, on the page?---Yes, yes.

10 About four-tenths of the way down the page.---Yes.

What did you understand Mr Maguire to be referring to when he said, "Samoa is definitely a go"?---That whatever business was being done over there was going to be successful, because my comment after is, "That's good, we need a result."

Well, you must have known more than "whatever business" was being considered. You must have had some additional idea in relation to what the particular thing was Mr Maguire was attempting to achieve.---Yeah, well, as far as I, oh, as far as I was aware, there was a, an older motel that they were
20 looking to refurbish and, and set up as a casino. That was my understanding.

And how did you obtain that understanding?---Just again in general chitchats and conversation.

Mr Maguire said it to you, is that right?---Oh, I believe so, yeah.

So how would that end up in there being "a bit of cash flow back in the tin"?
30 ---Well, I would hope that G8way would have had some sort of involvement and some sort of commission base from that.

But how does that work? What was the commission arrangement that you either had or hoped to achieve in relation to the Samoa project?---Nothing specific.

Well, then why did you think that it would get a bit of cash flow back in the tin?---Well, my presumption would be there'd be something in it for the G8way company.
40

But again, is this just Mr Maguire going off, essentially off his own bat, trying to achieve business activities, you're providing the corporate vehicle, but you're really leaving it to him to do the details, is that fair?---Well, that's probably the case, that's fair.

So for all intents and purposes, you're not really the director of this entity. It's really Mr Maguire. You're there as the nominal director. Is that fair?
---That's fair.

I'm just going to play a further telephone intercept, which is number 3292.
---Yep.

And I'll just note, Commissioner, that the previous telephone intercept,
4476, is Exhibit – already been tendered, Exhibit 124.

THE COMMISSIONER: Yes. Thank you.

10

AUDIO RECORDING PLAYED

[2.58pm]

THE COMMISSIONER: Can that be scrolled? Can the transcript be - - -

MR ROBERTSON: We might just pause there for a moment. I think a
technical issue's arisen in the sense that we can hear Mr Maguire's voice but
not Mr Elliott's voice.---Yeah.

20 Or at least not Mr Elliott's voice clearly.---Mmm.

It's because these things get recorded having a left track and a right track
and one of them is being played out and one isn't, I think.---If, I'm, I'm
happy to - - -

THE COMMISSIONER: We'll come back to that, Mr Robertson.

MR ROBERTSON: We might have to come back to that.---Okay.

30 In fact, what I might propose, if it's convenient, is just a brief adjournment
just to fix that technical difficulty. Perhaps 10 minutes or so if that's
convenient. In fact, maybe it's fair to do 15 minutes, so anyone who wants
a coffee can do so.

THE COMMISSIONER: It'll be a fast trip. So 15 minutes.---Thank you.

We'll adjourn for 15 minutes. If you need more time, just let me know.

40 MR ROBERTSON: I'm grateful, Commissioner.

SHORT ADJOURNMENT

[3.00pm]

THE COMMISSIONER: Please be seated, Mr Elliott. You're bound by
your affirmation, you understand?---Thank you.

Yes, Mr Robertson.

MR ROBERTSON: I'm sorry about that delay, Mr Elliott.---Thanks.

I'll replay both sides of the conversation from excerpt TI 3292.---Thank you.

AUDIO RECORDING PLAYED

[3.17pm]

10

MR ROBERTSON: Towards the start of that conversation, there was a reference to "Shenzhen giving us the nod." Giving us the nod with respect to what?---I can only presume, as I mentioned to you earlier, that that was permission to set up that exhibition area in Shenzhen.

And again, is that something in respect of which G8way International hoped to earn a fee?---Yes.

20 And again, is that a fee that would be shared between you and Mr Maguire?
---Yes.

Is part of the explanation here that Mr Maguire was attempting to set up, as you understood it, access to money for a potential life after politics?---I think I understand what you're saying. May I just ask you to repeat, please?

We saw this morning that you sent an email when you were setting up the G8way International Pty Ltd organisation to say, well, when you give up your other job - - -?---Yes.

30 - - - we appoint you as a director and away we go. Is part of the explanation or part of the story as to what happened between 2012 and 2018 with G8way International that, as you understood it, what Mr Maguire was attempting to set up was business interests and perhaps an income scheme that he may have access to post his career in parliament?---Yes.

And is that part of the background to the two telephone intercepts that we've just heard? As you understood it, Mr Maguire attempting to get a business deal done, get some cash in the tin, which might then set him up - - -?---Yes.

40 - - - for a future career beyond politics, is that right?---Yes.

That's one of the things that you discussed, perhaps over a glass of red or over a barbecue - - -?---Yes.

- - - at Mr Maguire's residential premises or perhaps yours?---Or our own, yes.

Was G8way International involved in any property development opportunities or property sale opportunities within Australia?---Explain. Can you expand on that?

You and I have discussed, during the course of the day, a number of things that G8way International sought to be involved in.---Yes.

Things like the immigration scheme. We've mentioned in passing - - -?
---Sure.

10

- - - various things to do with milk and cotton and various other bits and pieces.---Yeah.

I now want to focus specifically on property development.---Ah hmm.

20

Was there any projects that G8way International sought to be involved in to do with property development within Australia.---Within Australia. On my trip to Shanghai – and I, I can't tell you the exact date, but you'll pardon my, my reference to time. It was when Cronulla won the premiership, so whatever date that happened to be.

2016.---Right. Pardon me.

I'll just make clear, I'm not outing myself as a Cronulla fan.---Cronulla supporter. I did take across, on laptop, a proposal that was to be shown to some people in Shanghai. I did take a Chinese businesswoman, a dual citizen, to meet with a developer in – if I say Canterbury, it was Bankstown, but it was Bankstown, it was Canterbury, in that area.

30

Who was that developer?---That was Joseph, and I, I'm terribly sorry, Joe, I can't remember his surname. A short - - -

Could it be Alha?---Alha. Perhaps.

A-l-h-a?---That would sound, yeah.

Does the company J Group ring any bells?---Yes, yes. J Group.

40

Was that someone who you knew separately or was that someone that you'd been introduced to by someone else?---Mr Maguire had introduced me to, to Joseph, and I'd met him on a number of occasions, a handful of occasions.

So this particular development, was that something that you had identified with Mr Alha directly, or is that something that Mr Maguire had some involvement in, as you recall it?---No, I don't, I don't specifically recall. I know that Joseph had, he was chasing me, on a number of occasions, to invest in a development.

THE COMMISSIONER: You personally?---Sorry?

You personally?---Yeah, I simply didn't have the funds, so it wasn't, it wasn't even a consideration. Although, in fairness, I did drag him along for a period of time to say I'll think, I'll look, I'll chase, but I, there was never a chance.

MR ROBERTSON: And so where did you say that particular project was?
---I think that was in that, that Canterbury or Bankstown area. Are you able
10 to tell me where the J Group's office is? Because that was the region. It
was so long ago.

Well, I'll try to first exhaust your recollection of that matter?---Right, okay.

You're referring to, I think you said you're referring to a Canterbury
project?---I thought so, yes.

And who identified that as a potential project? Was that you or Mr Maguire
or someone else?---I don't recall exactly. It is likely, it's likely that Mr
20 Maguire would have said, "See Joseph."

And was that something that G8way International would have some
involvement in, or is there something separate from G8way International?
---No, that would have, well, I hope that would have been G8way, I thought
that would have been G8way.

If you go please to volume 8, page 70 - - -

THE COMMISSIONER: Just before we do that, Mr Robertson, can I just
30 get the connection. You said you went on a trip to Shanghai and you took a
proposal in 2016.---2016.

You took a proposal on your laptop.---Yes.

Was that this Canterbury proposal or something else?---No. That was, that
was a different proposal. I can't tell you exactly which one but it was a
different proposal.

Well, what was that proposal?---So that was a - can, can I go back and
40 expand on that for you?

Yes.---And I'm aware that Mr Maguire first came to attention, oh, probably
before, with a Mr Hewitt or Hawatt, is that - - -

Hawatt.---And in the knowledge that I was going that weekend to Shanghai,
I was asked to call him, that gentleman. I had spoken to him on that
occasion. I think I may have had, I think I may have rung and had a phone
answering message and then a return phone call and he - - -

With Mr Hawatt?---Yes. And he emailed to me a, a copy of that particular proposal, which I took with me on the laptop to Shanghai.

And just going by Mr Robertson's opening this morning, was that also in relation to property in Canterbury?---I'm, I'm really not too sure, Commissioner. Probably. Yeah.

10 And to whom did you show this proposal in China, in Shanghai?---A couple of Chinese gentlemen. I couldn't even tell you their names offhand. There, there was a, an expo, an Australian-based expo, that was in Shanghai that we were attending. Mr Maguire, I didn't travel with Mr Maguire but he, he attended and he presented and spoke. There were a number of Australian exhibitors and, and so forth, as in produce distributors there.

And did he know you had this proposal from Mr Hawatt on your laptop which you were showing to people to wanted to show to people in Shanghai?---I believe so.

20 And was that because if whatever the proposal was had gone through, then G8way would in some way be the recipient of commissions in relation to the success?---Yes. I believe so, yes.

Sorry, Mr Robertson.

MR ROBERTSON: Volume 8, page 70, please. I'm taking you to an email entitled, "Property development opportunity," and email from Mr Maguire to a Dolly Fu, 24 January, 2013. And do you see there, Mr Elliott, in attachments a reference to an address in Canterbury Road?---Yes.

30 Was that the particular project to which you are referring?---I think so, yes.

And so this was a potential development opportunity in respect of which G8way International might stand to make some money, is that right?---Yes. That would be the case.

And if you have a look around about halfway down the page it says, "All profits will be shared 50/50." Do you see that there?---Yes.

40 So is that consistent with your recollection as to what Mr Maguire at least was seeking to achieve, an arrangement where profits would be shared between an investor and someone else on a 50/50 basis?---Yes. That, that's how that reads. I don't recall it.

Do you see it's addressed to a Dolly Fu?---Yes.

Do you know who Dolly Fu is?---Yes. That was the lady that I took out to meet Joseph and was also the lady who picked me up when I arrived in Shanghai on that 2016 - - -

So you had met Ms Fu in 2016 in China, is that right?---Yes. That was the first time I had met her there.

Well, note the date of this email. This was way back in 2013.---Yes, I see that. I noted that.

10

So is it the case that you hadn't met her yet in 2013 in the flesh?---Correct.

But she was in the wings as a potential investor in relation to Mr Alha's project on Canterbury Road?---Yes. Yeah.

20

THE COMMISSIONER: In 2013 or – I'm getting confused now, Mr Elliott. Because I thought from what you said earlier that the trip to Canterbury with the woman we now seem to identify as Ms Fu was also in 2016. There was a trip to Shanghai with the proposal which related to Mr Hawatt.---That was '16.

And then the trip to Canterbury to J Group's offices with Ms Fu - - -?---Was 2016. It was 2016.

2016 as well. So this was back in 2013, so - - -?---Yes, I, I hadn't met, I hadn't met Dolly Fu until 2016.

30

Oh, you might continue that line, Mr Robertson, because I can barely read this email on - - -

MR ROBERTSON: Yes, so you hadn't met her in the - - -?---I hadn't physically met her.

You hadn't met her in the flesh until 2016.---Mmm.

But she was a person known to you in 2013, correct?---Known by name.

Known by name, yes.---Yep.

40

And known, not just by name, but as someone who might be a potential investor in relation to a development project, correct?---Based on that, yes.

Not just based on that, you've got a recollection of having at least some involvement with Ms Fu, not in the flesh, but as someone who may be an investor or whose associated entities may be an investor way back in 2013. Is that right?---Yes, but, with, with this email, yes, but I don't recall knowing or speaking with, with Ms Fu again until, until '16. I've been copied in on that email to her.

Well, what was your involvement, if anything, in what Mr Maguire described as the property development opportunity the subject of this email of 2013?---Nothing.

Nothing at all?---Not to my knowledge.

10 Well, wasn't an aspect of Mr Maguire was attempting to achieve, as you understood it, some profits to G8way International?---That would seem to be the case, yes.

If you have a look at the CC line, if we just scan up a little bit further.---Yes, I'm in there.

You'll see that it's copied to you.---Yes.

To Du Wei. To Sining Wang, is that Maggie Wang?---That's Maggie, yes.

20 Julian McLaren, who we've referred to, and Nicole as well.---Yes.

So does that refresh your memory that this had something to do with potential profits to G8way International?---Looking at the email, that's certainly the case, but I had no recollection of that.

Well, are you able to assist us as to why Mr Maguire is sending it not just to you but to a whole host of people in January of 2013?---No, they are the people in our group, as identified earlier, so presumably so that was for the information of all.

30 Do you recall taking any steps yourself in relation to this Canterbury Road project in or around 2013?---Oh, no, I don't. I, I don't, I don't recall. I don't recall anything.

Were there - - -

THE COMMISSIONER: And do you know whether this was the same project that was still, that was the one you took Ms Fu to see J Group about in 2016?---No, I don't, Commissioner, I'm not sure.

40 MR ROBERTSON: I tender the email from Mr Maguire to Ms Fu, 24 January, 2013, pages 70 and 71 of volume 8 of the public inquiry brief. I won't tender the attachment along with the email, because it contains some financial figures and the like. I'll just tender pages 70 and 71 of volume 8.

THE COMMISSIONER: Very well. That will be Exhibit 143.---Mmm.

**#EXH-143 – EMAIL MAGUIRE TO DOLLY FU DATED 24 JAN 2013
RE PROPERTY DEVELOPMENT OPPORTUNITY, VOLUME 8,
P70-71**

THE COMMISSIONER: And I think there was a reference there to Sining, S-i-n-i-n-g, Wang, that's Maggie Wang, isn't it?---That's correct, yes.

Thank you.

10

MR ROBERTSON: To your knowledge, were there any other development projects in Australia that G8way International either directly or through Mr Maguire had any relevant involvement in?---At that same time, as in the 2016, there was a development project at the Gold Coast, and I think I also had that on, on the laptop. It was a development based and aimed at, at the student body. It was to build some residential towers to do with the university up there.

20

So this was a Queensland project, you had the details on your laptop when you were in China in the 2016 project?---At, at the same time as the other one, yeah.

And the hope was to find an investor in China who may be able to invest in that project?---Yes.

In respect of which, G8way International might receive some fee, is that right?---Yes.

30

Any other ones that you can now recall?---No. I'm sure you'll find one, but no.

Well, I'll just ask you about this email. Volume 8, page 73. Do you remember what the name of that Gold Coast was, by the way?---No, I can't, it was – I can't. It, it was on the, at or near the university up there, the, the Southern Queensland university.

THE COMMISSIONER: Which university?---Oh, I think Southern, is there a Southern Queensland? Or the Gold Coast University?

40

Southern Cross?---Is, is Southern Cross the Gold Coast?

But I thought that was in northern New South Wales.---Yeah. No, I - - -

MR ROBERTSON: Not Bond University?---No, I don't think it was – no, I, I, I, I'm not sure. I don't know.

Does the project name The Mill ring any bells?---The Mill? Yep. So do you want me to answer that in terms - - -

Yes, please.---Yeah, so The Mill is a, is a development in Wagga.

And did you have any involvement in that or did G8way International have any involvement in that?---So the – I had an involvement with The Mill development because, in my business as, as a strata manager, having spoken to the developer originally.

10 But has that got anything to do with G8way International or with Mr Maguire?---Oh, I, I don't, I don't think so. Mr Tse, who we spoke of earlier, Mr T-s-e, Gordon, was, I believe, looking to do some I think, I think he was going to build a – sorry. Excuse me. I don't recall Mr Maguire having any involvement with the, with The Mill, The Mill site or The, The Mill development.

20 Let's go to volume 8, page 73, so I can just ask you about an email chain back in 2013. Do you see there an email , 24 January, 2013, from you, from your Riverina Strata email address, "Strong investment opportunity around the Campsie area." Do you see that there?---Yes.

And do you see Mr Andrew Bell responds on the next day, 25 January, 2013?---Yes.

So is this again an attempt to make some profits for G8way International? ---Yes, it would have been.

30 And which particular project is this, do you recall?---No. No, no, I don't. Campsie area. Only that that may have been J Group, Campsie's in that, that, that bit of Sydney, but Campsie is in that sort of area, is it not?

I tender the document on the screen, email from Mr Maguire to Mr Elliot, 25 June, 2013, 10.34am, page 73 and 74 of the volume 8.

THE COMMISSIONER: Sorry, can we bring that back up, please, Mr Grainger? Oh, I see Mr Maguire's name is right up the top. I hadn't see that. Very well. That will be Exhibit 144.

40 **#EXH-144 – EMAIL MAGUIRE TO ELLIOTT DATED 25 JAN 2013
RE INVESTMENT OPPORTUNITY VOLUME 8, P73-74**

MR ROBERTSON: Does it assist at all, Mr Elliott, if you have a look towards the bottom of the page, "Do you have a good-quality contact at Campsie RSL who would be worth talking to?" Does that assist your recollection in relation to what happened in 2013?---No. No.

Mr Elliott, when is the last time you spoke to Mr Maguire?---I've had – physically spoken to Mr Maguire?

Had any contact with him at all.---I've had two contacts with Mr Maguire in the last two years. The first contact was when he was kind enough to send flowers when Karen's mother died, which was in January of perhaps '19, and my second contact was a – oh, and that was via text. And my second contact was via text in March of this year, wishing him a happy birthday.

- 10 Have you had any communication or contact with him at all since you have been summoned to give evidence before this public inquiry?---This one?

Yes.---No.

Have you had any discussion with him at all about this Commission's investigation?---I haven't spoken physically to Mr Maguire, who is a dear friend, since the first day I was summonsed to come up here. Not here, but, but two years prior to this.

- 20 And to your knowledge, has Mr Maguire attempted to make contact with you during that period?---No, not to my understanding, other than to reply when I sent him a birthday wish. He said, "Thank you very much," or words to that effect.

Commissioner, the next topic will take longer than 20 minutes. In my respectful submission, perhaps an early adjournment and continue tomorrow morning. I'll be finished with Mr Elliott by lunchtime tomorrow, and perhaps a little bit shorter than that.

- 30 THE COMMISSIONER: Very well. So we'll adjourn now until 10 o'clock tomorrow morning, please return for that hearing then.---Okay.

The hearing will now adjourn.---Yep.

THE WITNESS STOOD DOWN [3.40pm]

- 40 **AT 3.40PM THE MATTER WAS ADJOURNED ACCORDINGLY [3.40pm]**